

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTOR JOSE BARRAZA CAZARES,

Defendant.

8:04CR447

**MEMORANDUM
AND ORDER**

This matter is before the court on the defendant Victor Jose Barraza Cazares's ("Cazares") 18 U.S.C. § 3582 Motion to Modify and Reduce Sentence (Filing No. 204).

This is a motion filed pursuant to Amendment 782 to the United States Sentencing Guidelines, (sometimes called the "drugs minus two" or the "2014 drug guidelines amendment") which reduces offense levels assigned in the Drug Quantity Table by two levels, resulting in lower guideline ranges for many drug trafficking offenses. *See* U.S.S.G. § 1B1.10(d) & (e)(1) (Nov. 1, 2014). The Sentencing Commission has given retroactive effect to the amendment. *Id.*, U.S.S.G., App. C (Supp.), amendment 788 at 87-88.

The parties agree that Cazares's amended Guidelines range is 151 to 188 months. The government does not oppose the reduction, and the parties have stipulated to a reduction to 151 months (Filing No 209).¹

In consideration of the factors set out in 18 U.S.C. § 3553(a), the court finds that a sentence reduction will satisfy the goals of sentencing in this case. The court has considered the nature and circumstances of the offense, the characteristics of the

¹Cazares will likely be deported.

offender, public safety, deterrence, and the sentencing guidelines in making this decision. Accordingly,

IT IS ORDERED:

1. The defendant's Motions for Sentence Reduction (Filing Nos. 204, 208) are granted.
2. The parties' stipulation regarding sentence reduction (Filing No. 209) is approved.
3. An Order Regarding Motion For Sentence Reduction Pursuant To 18 U.S.C. § 3582(C)(2) will issue this date.

Dated this 16th day of October, 2017.

BY THE COURT:

s/ *Robert F. Rossiter, Jr.*
United States District Judge